

OA 91 Criminal Complaint

~~SEALED BY ORDER
OF THE COURT~~

United States District Court

NORTHERN

DISTRICT OF

CALIFORNIA

UNITED STATES OF AMERICA
V.

CHRISTINE RUIZ

(Name and Address of Defendant)

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

Filed

JAN 18 2008

CRIMINAL COMPLAINT

Case Number:

L 08 70028

H R L

I, the undersigned complainant being duly sworn state that the following is true and correct to the best of my knowledge and belief. On or about November 13, 2007 in Santa Clara County, in the Northern District of California defendant(s) did,

(Track Statutory Language of Offense)
knowingly or intentionally distribute or possess with the intent to distribute a controlled substance

in violation of Title 21 United States Code, Section(s) 841(a)(1)

Penalties: Maximum 40 years imprisonment (5 years mandatory); Maximum \$2,000,000 fine; Maximum 5 years supervised release; life (4 years minimum) \$100.00 special assessment

Requested Bail: No Bail (government will request detention)

Requested Process: Arrest Warrant

I further state that I am a(n) Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:
Please see attached affidavit

Continued on the attached sheet and made a part hereof:

 Yes No

Approved

As To THOMAS M. O'CONNELL

Form: AUSA

Signature of Complainant

Sworn to before me and subscribed in my presence,

1/18/08

at

City and State

Date

HOWARD R. LLOYD

U.S. MAGISTRATE JUDGE

Name & Title of Judicial Officer

Signature of Judicial Officer

DOCUMENT NO.

CSAV
INITIALS1
C
DISTRICT COURT
CRIMINAL CASE PROCESSING

1 .
2 STATE OF CALIFORNIA
3 COUNTY OF SANTA CLARA
4

AFFIDAVIT

5 I, Stacey LaFreniere, a Special Agent (SA) with the
6 Federal Bureau of Investigation (FBI), assigned to the San
7 Francisco Division, San Jose Resident Agency, being duly
8 sworn, depose, and say:

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10 Agent Background

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12 1. I have been employed as Special Agent (SA) of the
13 FBI for three years. Currently, I am assigned to investigate
14 Asian criminal enterprises, violent gangs, fugitive
15 apprehension matters, extortions, and other violent criminal
16 matters. As a federal law enforcement officer, I am
17 responsible for enforcing Title 21, United States Code,
18 Section 841 - Controlled Substances Act. While employed in
19 my current assignment, I have participated in the execution
20 of arrest and search warrants involving offenses pertaining
21 to the distribution of controlled substances.

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23 Summary

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25 2. This affidavit is submitted in support of an
26 application for an arrest warrant for CHRISTINE RUIZ, Date of
27 Birth (DOB) January 23, 1968, who, on two occasions, sold a
28 controlled substance to undercover police officers.

1 3. The information contained within this affidavit are
2 facts obtained by myself and other agents of the San Jose
3 Resident Agency of the FBI, the San Jose Police Department
4 and the Santa Clara Police Department, which include witness
5 interviews, and oral and written reports from law enforcement
6 officers involved in the investigation. Because this
7 affidavit is for the purpose of setting forth probable cause,
8 I have not included every fact known to me or developed
9 through this investigation.

10

11 4. Based upon information presently available and
12 believed to be reliable, there is probable cause to believe
13 that RUIZ has committed criminal acts in violation of Title
14 21 United States Code, Sections 841 (a) (1) and
15 841(b) (1) (B) (viii). Information based on the investigation
16 to date has shown that RUIZ has possessed over five grams of
17 methamphetamine (pure) with the intent to distribute.

18

19 5. In January 2007, the San Jose and Santa Clara
20 Police Departments initiated a store front sting operation,
21 Operation Meltdown. The focus of the operation was to target
22 the rising number of copper thefts in Santa Clara County.
23 The store front, "Jose Clara COOP", located at 401 Martin
24 Avenue, Santa Clara, California, posed as a metal recycling
25 business that specialized in copper. The business attracted
26 not only copper thieves, but a variety of other career
27 criminals.

28

Undercover officers posed as workers within the shop and interacted with the criminals. During the course of the sting, undercover officers purchased copper, illegal narcotics, dangerous weapons and stolen items which included tools, electronics and vehicles. All transactions inside Jose Clara were digitally recorded and documented. Each cash transaction for contraband, property and metal was documented and all items were photographed.

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10 Background Information

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12 6. A California Law Enforcement Telecommunications
13 System (CLETs) database check revealed that on November 18,
14 1998, CHRISTINE RUIZ, DOB January 23, 1968 was convicted of
15 inflicting corporal injury on a spouse or cohabitant with a
16 weapon, a felony, and was sentenced to six months in jail and
17 two years probation. On January 7, 2007 RUIZ was convicted
18 of possession of a controlled substance, a felony, and
19 sentenced to seven months in jail and two years on probation.

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21 Factual Information Supporting Probable Cause

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23 7. On November 6, 2007 RUIZ entered the "Jose Clara
24 Coop" and met with Undercover Officers. During the meeting
25 RUIZ sold a crystalline substance, believed to be
26 methamphetamine, with a gross weight of 3.8 grams for \$320.00.

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28 8. On November 13, 2007 RUIZ entered the "Jose Clara

1 Coop" and met with undercover officers. During the meeting
2 RUIZ sold a crystalline substance, believed to be
3 methamphetamine, with a gross weight of 27.2 grams for
4 \$1,500.00.

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6 9. On January 14, 2008 both samples were submitted for
7 analysis to the Drug Enforcement Administration Western
8 Regional Laboratory for analysis. According to Franca
9 DeSignore, Forensic Chemist, Drug Enforcement Administration
10 Western Regional Laboratory, the crystalline substance RUIZ
11 sold on November 6, 2007 tested positive for methamphetamine
12 with a purity of 60.4% and net narcotic weight of 1.6 grams.
13 The crystalline substance RUIZ sold on November 13, 2007
14 tested positive for methamphetamine with a purity of 63.1% and
15 net narcotic weight of 16.2 grams.

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17 Conclusion

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19 10. On November 13, 2007, Ruiz sold over 5 grams of
20 methamphetamine (pure) to undercover officers, in violation of
21 Title 21, United States Code Sections 841 (a)(1) and
22 841(b)(1)(B)(viii); therefore I respectfully request that the
23 court issue a criminal complaint and arrest warrant for
24 CHRISTINE RUIZ.

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1 11. I respectfully requests that this complaint be
2 sealed until the execution of the arrest warrant or further
3 order of the court, as this investigation remains ongoing and
4 for purposes of officer safety.

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6 12. Based upon the foregoing information, I
7 respectfully request that the court issue a criminal complaint
8 and arrest warrant for CHRISTINE RUIZ for violating Title 21
9 United States Code section 841(a)(1), possession with the
10 intent to distribute a controlled substance.

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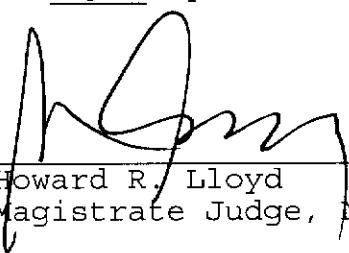
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Stacey LaFreniere
Special Agent
Federal Bureau of
Investigation
San Jose, California

Subscribed and sworn to before me this 18 day of January
2008.


Hon. Howard R. Lloyd
U.S. Magistrate Judge, NDCA